

**Patterson Belknap Webb & Tyler** LLP

1133 Avenue of the Americas New York, NY 10036-6710 212.336.2000 fax 212.336.2222 www.pbwt.com

April 6, 2020

Daniel Ruzumna  
(212) 336-2034  
[druzumna@pbwt.com](mailto:druzumna@pbwt.com)

Hon. Loretta A. Preska  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 2220  
New York, NY 10007

**Re: *In re: 650 Fifth Avenue and Related Properties,*  
08 Civ. 10934 (LAP)**

Dear Judge Preska:

We write on behalf of Claimants Alavi Foundation and the 650 Fifth Avenue Company (together, "Claimants"), in accordance with the Court's Individual Rule 2(H)(2), to request an order permitting Claimants to file under seal an unredacted copy of the 650 Fifth Avenue Company's April 6, 2020 letter discussing both the amount of reserve funds currently held to facilitate the operation and management of 650 Fifth Avenue (the "Building") and the net rental income derived from the Building.

Courts in this district have acknowledged that certain categories of documents are "commonly sealed," including "revenue information." *Hypnotic Hats, Ltd. v. Wintermantel Enterprises, LLC*, 335 F. Supp. 3d 566, 600 (S.D.N.Y. 2018) (quoting *Saint-Jean v. Emigrant Mortgage Co.*, No. 11-cv-2122, 2016 WL 1430775, at \*4 (E.D.N.Y. May 24, 2016)); *see also United States v. Amodeo*, 71 F.3d 1044, 1051 (2d Cir. 1995) ("[f]inancial records of a wholly owned business" are traditionally considered private and are more likely to be sealed). This Court has previously granted Claimants' requests to file letters and reports concerning the Building's finances under seal. (Dkt. Nos. 2218, 2224, 2230.) The letter at issue discloses precisely the same type of information, which is not public and should be kept confidential. Claimants therefore request permission to file only that information under seal.

Thank you for the Court's attention to this matter.

Because the Court finds that the letter at issue contains confidential commercial information, counsel's request to file the unredacted letter under seal is granted. **SO ORDERED.**

Respectfully submitted,



Daniel Ruzumna

Cc. Counsel of Record



4/7/2020